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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

LATONIA W. LISTER,

Plaintiff

v.

CITY OF LAS VEGAS,

Defendant

Case No.: 2:21-cv-0589-CDS-VCF

**STIPULATION AND ORDER TO
DISMISS PLAINTIFF'S
INTENTIONAL INFLICTION OF
EMOTIONAL DISTRESS CLAIM,
WITH PREJUDICE**

1 PLAINTIFF LATONIA LISTER and DEFENDANT CITY OF LAS VEGAS,
2 through their respective counsel of record, hereby stipulate that Plaintiff's Eighth
3 Cause of Action for Intentional Infliction of Emotional Distress under Nevada State
4 Law¹ may be dismissed with prejudice. By agreeing to this Stipulation, Plaintiff is
5 not waiving any right she has to pursue her remaining causes of action.
6

7 DATED this **25th** day of August
8 2024.

DATED this **25th** day of August, 2023.

9 **F. TRAVIS BUCHANAN, ESQ.,**
10 **& ASSOCIATES, PLLC**

JEFFRY M. DOROCAK

11 /s/ F. Travis Buchanan

/s/ Nechole Garcia

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18 /s/ Jamon Hicks

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20 **IT IS SO ORDERED:**

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UNITED STATES DISTRICT JUDGE

DATED: August 28, 2023

¹ While Defendant City of Las Vegas asserts that Plaintiff's IIED Claim is preempted by NRS 613.330, Plaintiff's research indicated that state law tort claims, such as Plaintiff's IIED may not be preempted by NRS 613.330 and/or Title VII of the Civil Rights Act of 1964. Notwithstanding this, and for other reasons, Plaintiff has elected to dismiss her IIED Claim, with prejudice as such claim is duplicative and emotional distress damages are allowable under Title VII of the Civil Rights Act of 1964.